

The FCC Order and You

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What is “STELAR”?

In 2014, Congress passed the Satellite Television Extension and Localism Act Reauthorization (STELAR) Act of 2014. Often referred to its acronym, “STELAR”, the goal of this legislation was to reauthorize a distant signal license and modernize some of the rules regarding satellite cable, and broadcast television markets.

One of the principles that I fought to have reflected in STELAR was that satellite operators should be able to carry the broadcast stations that are of most interest to the community.

In STELAR, we fought for language to be added that would allow the FCC to modify a particular commercial television broadcast station’s local television market to add or delete communities to better reflect what local television market the community wants to be a part of. We also made sure that under the law, local governments were recognized as a specific party that has the request this modification of the market their communities are in.

We also set forth the specific factors that the FCC has to consider when granting or denying any petition. We wanted to make sure the FCC wasn’t free to approve or decline petitions based on their whim, but rather, based on what’s best for local communities. One of the factors the FCC must consider is whether a community has access to in-state programming.

What does this FCC order mean for residents of “orphan counties”?

Elbert, Hart, Stephens, and Franklin counties are often referred to as “orphan counties” because some cable subscribers and most satellite television subscribers do not receive in-state programming. And the majority of the individuals in these counties cannot receive Atlanta programming. This means they don’t have access to important state-specific coverage on politics, weather, news, and even emergency alerts.

Now that the FCC has finalized this order—as Congress required them to do in STELAR—there is a process in place for orphan counties to tell the FCC that they want to be in a different television market. And the FCC must take into account that the fact that orphan counties deserve market modification because they don’t have access in in state programming.

What happens next?

Shortly after the FCC publishes the final rule in the Federal Register—a Congressional Requirement for all agency rules—they will implement Section 102(c) of STELAR by creating a consumer guide that will explain the market modification rules and procedures and post that guide on the website (www.fcc.org).

Section 102(c) of STELAR requires the FCC “make information available to consumers on its website that explains the market modification process.”

Specifically, they must tell you:

Who is allowed to petition the FCC to include or exclude a particular community from a particular market; and, *what* factors they will consider when reviewing the petition for a change in the market.

We will continue to conduct rigorous oversight to ensure that the goal of STELAR—more choice for consumers, especially those in orphan counties—is fulfilled. If more legislative changes are needed to achieve this goal, the rest assured all options are on the table.